

51. A protein or fragment thereof or polypeptide containing a CHD-chromobox which is derived or derivable from the isolated nucleotide sequence of claim 34 or claim 35, including at least one of the characteristic amino acid residues at position 11, 12, 20, 27 or 31 inside the chromobox of 3, 6, 8, 12-15 or 16 directly downstream of the chromobox when aligned to best effect to the sequences of SEQ ID No. 22-30.

52. A CHD-protein or fragment thereof or a polypeptide encoded by a nucleic acid or fragment or oligonucleotide according of the isolated nucleotide sequence of claim 34 or 35 and containing a CHD-chromobox.

53. An antibody or fragment thereof which specifically binds to the avian CHD-protein of claim 50.

54. An antibody producing cell which produces the antibody or fragment thereof according to claim 53. --

REMARKS

The foregoing amendments insert section headings and reorder the location of the Figure Descriptions in conformance with U.S. practice.

In addition, original claims 1-33 have been cancelled and replaced with new claims 34-54. The wording of the new claims have been drafted to better comply with U.S. form and to more particularly point out and distinctly claim the subject matter of this invention. New claims 34-47 are directed to DNA subject matter and correspond to original claims 1-16 of Group I which is set forth in the restriction requirement.

In response to the restriction requirement, Applicants elect to prosecute the invention of Group I subject matter

corresponding to new claims 34-47 presented herewith, with traverse.

It is respectfully submitted that the subject matter of the new claims 34-54 are directed to a single inventive concept and so the restriction requirement is improper under PCT practice. It will be seen from the wording of the new claims that all of the non-elected claims 48-54 depend upon the inventive concept of the elected claims, including the fact that such non-elected claims are specifically dependent upon elected claims.

In view of the wording of the new claims, it is respectfully submitted that the restriction requirement be withdrawn since the new claims are now clearly directed to a single inventive concept.

Favorable action on the merits is solicited.

Respectfully submitted,

Richard GRIFFITHS et al.

By: Warren M. Cheek, Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/dlk
Washington, D.C.
Telephone (202) 721-8200
Facsimile (202) 721-8250
November 29, 1999